

BEFORE THE  
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION  
WASHINGTON, D. C.  
ORDER NO. 383

IN THE MATTER OF:

Served September 11, 1964

Application of Montgomery Charter    )  
Service, Inc., for a Certificate       )  
of Public Convenience and Necessity )

Application No. 276

The United States Court of Appeals for the District of Columbia Circuit has ordered the Commission to issue unto Montgomery Charter Service, Inc., without further proceedings, a "grandfather" certificate of public convenience and necessity authorizing such transportation as it was "legally and in good faith engaged in" prior to the amendment of Section 1(c) of the Compact.<sup>1</sup>

On August 13, 1964, Montgomery Charter Service, Inc., filed an application for a certificate of public convenience and necessity pursuant to the Order of the Court set out above.

In its application, Montgomery Charter Service, Inc., seeks the following authority:

IRREGULAR ROUTES: SCHEDULED OR NON-SCHEDULED OPERATIONS:

SPECIAL OPERATIONS:

Passengers and their baggage, in motor vehicles with a seating capacity of eight passengers or less, excluding the driver;

One-way;

From points in Montgomery County, Maryland, to the Washington National Airport in Virginia, restricted to passengers and aircraft crews having a subsequent movement by air.

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1/ Montgomery Charter Service, Inc., vs. Washington Metropolitan Area Transit Commission, 325 F 2d 230.

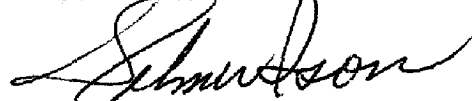
In support of its application, the applicant submitted very voluminous and detailed records evidencing that it was, prior to the entry of the cease and desist order and prior to the amendment to Section 1(c) of the Compact, engaged in the transportation of passengers from numerous points in Montgomery County to the Washington National Airport in Virginia.

The Commission finds that the applicant, Montgomery Charter Service, Inc., was bona fide engaged in the transportation of passengers from points in Montgomery County to the Washington National Airport in Virginia, in vehicles with a seating capacity of eight passengers or less, not including the driver, prior to the entry of the cease and desist order and prior to the amendment of Section 1(c) of the Compact, and that applicant should be issued a certificate of public convenience and necessity without further proceedings pursuant to the Order of the United States Court of Appeals for the District of Columbia Circuit, authorizing the transportation of passengers as set out above.

THEREFORE, IT IS ORDERED:

1. That a certificate of public convenience and necessity, authorizing the transportation described hereinabove, be issued Montgomery Charter Service, Inc.
2. That this Order become effective thirty (30) days after the date of issuance hereof.

BY DIRECTION OF THE COMMISSION:



DELMER ISON  
Executive Director